

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

NATIONAL ASSOCIATION FOR GUN
RIGHTS, INC., *et al.*,

Plaintiffs,

v.

MERRICK GARLAND, IN HIS OFFICIAL
CAPACITY AS ATTORNEY GENERAL
OF THE UNITED STATES, *et al.*,

Defendants.

Case No. 4:23-cv-00830-O

CERTIFICATION OF ADMINISTRATIVE RECORD

I, Gregory Stimmel, pursuant to 28 U.S.C. § 1746, declare and say as follows: I have been employed by the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) since 2008 and I am currently the Acting Division Chief, Firearms and Ammunition Technology Division (“FATD”). FATD provides expert technical support on firearms and ammunition to the Bureau, the firearms and ammunition industry, the general public, and other federal, state, local and foreign law enforcement agencies. The division is the federal technical authority relating to firearms and ammunition and their classification under federal laws and regulations. FATD maintains an extensive firearms reference collection, firearms technical reference files, a reference library, as well as firearms and ammunition resources. The information in this certification is based upon my personal knowledge or on information provided to me in the course of my official duties.

The materials listed in the index below, to the best of my knowledge, comprise the administrative record in the above-captioned civil action.

INDEX TO THE ADMINISTRATIVE RECORD

1. ATF Ruling 2006-2: Definition of Machinegun, dated 12/13/06 ATF 1
2. ATF classification of the 3MR trigger assembly 3311/301071, dated 10/31/13, and classification request dated 6/24/13 ATF 4
3. ATF classification of the AR 1 trigger system 3311/307385, dated 8/28/18, and classification request dated 8/9/17 ATF 81
4. ATF Firearms Technology Criminal Branch Report of Technical Examination re: Rare Breed Triggers model FRT-15, 2021-595-DAS-317066, signed 7/15/21, with attachments ATF 107
5. ATF Firearms Technology Criminal Branch Report of Technical Examination re: Wide Open Triggers, 2022-030-CJT-317970, signed 10/20/21, with attachments ATF 173
6. ATF Firearms Technology Criminal Branch Report of Technical Examination re: Wide Open Triggers, 2023-258-ALC-324346, dated 1/13/23, with attachments ATF 188
7. ATF Firearms Technology Criminal Branch Report of Technical Examination re: Rare Breed Triggers model FRT-15, 2023-724-ALC-326038, signed 4/27/23, with attachments ATF 232
8. Cease and Desist Letter from ATF Special Agent in Charge (SAC), Tampa Field Division, Craig Saier to Kevin Maxwell re: Rare Breed Triggers, dated 7/26/21 ATF 289
9. Letter from Kevin Maxwell to SAC Saier re: Rare Breed Triggers, FRT-15, dated 11/2/21, with Attachments ATF 291
10. Cease and Desist Letter from ATF SAC, Denver Field Division, David Booth, to 3rd Gen Machine, Inc re: Rare Breed Triggers, FRT-15, dated 1/12/22 ATF 323
11. ATF Open Letter to All Federal Firearms Licensees, dated 3/22/22 ATF 326
12. National Firearms Act Hearing before the Committee on Ways and Means, House of Representatives, 73rd Congress, 2nd Session on H.R. 9066 (1934) ATF 328
13. ATF Classification dated 11/14/75, and request for classification dated 9/19/75 ATF 498.
14. United States Patent 4,023,465, dated 5/17/77 ATF 510
15. ATF Classification dated 5/27/88, and undated request for classification ATF 521

16. ATF Classification dated 11/30/92, and request for classification dated 10/27/92
ATF 528
17. ATF Classification dated 4/4/94, and undated request for classification ATF 534
18. ATF Classification dated 4/26/94, and request for classification dated 4/12/94
ATF 543
19. ATF Classification dated 6/8/94 and request for classification dated 5/17/94 ATF
548
20. ATF Classification #2004-272, dated 9/16/04, and request dated 12/21/03 ATF
552
21. United States Patent 7,398,723 B1, dated 7/15/08 ATF 564
22. ATF Classification #2005-372, dated 5/2/05, and request dated 3/21/05 ATF 576
23. ATF Classification #2005-561, dated 8/29/05, and request dated 7/16/05 ATF
589
24. ATF Classification #2006-578, dated 4/27/06, and request dated 3/16/06 ATF
610
25. ATF Classification #2006-1060, dated 11/22/06 ATF 641
26. ATF Re-Classification # 2007-261, dated 1/16/07..... ATF 653
27. ATF Re-Classification # 2007-328, dated 10/19/09 ATF 657
28. ATF Classification #302558, dated 4/13/15 ATF 664
29. Manufacturer's response to ATF's 7/21/17 classification letter, dated 11/3/17
ATF 670
30. ATF Classification of the ERAD #305601, dated 7/21/17 ATF 677
31. ATF reply to Congressional inquiry regarding ERAD classification dated 6/6/17.....
ATF 686
32. Manufacturer's Ruling Request on modified device, dated 11/22/16 ATF 687
33. ATF Classification of the ERAD #304847, dated 10/27/16, request received 4/28/16 and
previous classification #304248, dated 3/23/16 ATF 699

- 34. AR-15 and ERAD Operation ATF 728
- 35. Manufacturer's supplemental submission re: classification #304847, dated 9/7/16, with patent application ATF 753
- 36. ATF Classification of the LV-15 #303845, dated 10/7/16 ATF 781
- 37. ATF Classification #307369, dated 12/7/17, and request received 8/4/17 ATF 792
- 38. ATF Classification #306032, dated 1/19/18, and request received 4/4/17 ATF 813
- 39. ATF Firearms Technology Criminal Branch Report of Technical Examination re: Rare Breed FRT-15, 2021-676-RKD Exp. 317388, signed 10/19/21, with attachments, including earlier Report of Technical Examination 2021-595-DAS-317066 and its attachments ATF 832
- 40. ATF Firearms Technology Criminal Branch Report of Technical Examination re: Wide Open Triggers, 2021-768-CJT-317848, signed 10/21/21, with attachments and Facebook post ATF 1053
- 41. ATF Firearms Technology Criminal Branch Report of Technical Examination re: WOT Powered by Graves Alamo-15, 2022-455-RKD Exp. 319830, signed 4/1/22 ATF 1076
- 42. Excerpts from *The Complete AR-15/M16 Source Book*, Duncan Long ATF 1117
- 43. Videos of the FRT-15

I certify under penalty of perjury that the foregoing is true and correct.

Executed on this 30 day of November, 2023.
